

ERLINDA ABIBAS ANIEL

75 Tobin Clark Dr.

Hillsborough, CA 94010

Claimant in Pro Per

In Re:

RESIDENTIAL CAPITAL, LLC, et al..

Debtors.

Case No. 12-12020-MG

Chapter 11

Jointly Administered

**ERLINDA ABIBAS ANIEL'S MOTION TO EXPUNGE/STRIKE OUT OCWEN
LOAN SERVICING, LLC FROM THE RECORDS AND ITS MOTION TO
QUASH SUBPOENA**

**TO THE HONORABLE MARTIN GLENN UNITED STATES BANKRUPTCY
JUDGE:**

Movant, Erlinda Abibas Aniel, as pro se, hereby respectfully submits this motion to expunge/strike out from the records Ocwen's motion to quash subpoena for the sole reason that it has no standing to file subject motion.

As the records of this honorable court show, it is not a party and has never been a party in this proceeding and, since it is not a party, it is, therefore, clear that it has no interest, whether pecuniary or financial or any proprietary one, to protect. In other words, it is neither a real party in interest nor an indispensable party that would allow it to intervene. It is not even a necessary party, to say the least. Simply, it does not possess any standing to appear before this honorable court to plead, especially to prevent the deposition of a material witness [Mira Smoot] that possesses relevant evidence that will shed light on the issue before the court. Erlinda Abibas Aniel has never sought to serve a subpoena to appear at any deposition on Ocwen Loan Servicing, LLC.

For the foregoing stated reason, the motion to quash filed by Ocwen be expunged and/or stricken off the records as it has no standing to file such a motion in order to delay the deposition of Mira Smoot.

Respectfully,

/s/ Erlinda Abibas Aniel

Erlinda Abibas Aniel

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy was mailed, faxed, or emailed on
January 28, 2016 to:

The Honorable Martin Glenn
United States Bankruptcy Court for the Southern District of New York
Alexander Hamilton Custom House
One Bowling Green,
New York, New York 10004-1408

Counsel to the ResCap Liquidating Trust and ResCap Borrower Claims Trust
Morrison & Foerster LLP
250 West 55th Street
New York, New York 10019
Attention: Norman S. Rosenbaum, Jordan A. Wishnew, and Jessica J. Arett

The Office of the United States Trustee for the Southern District of New York
U.S. Federal Office Building
201 Varick Street, Suite 1006
New York, New York 10014
Attention: Linda A. Riftkin and Brian S. Masumoto

The ResCap Liquidating Trust
Quest Turnaround Advisors
800 Westchester Avenue, Suite S-520
Rye Brook, NY 10573
Attention: Jeffrey Brodsky

The ResCap Borrower Claims Trust
Polsinelli PC
900 Third Avenue 21st Floor
New York, New York 10022
Attention: Daniel J. Flanigan

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One Embarcadero Center, Suite 2600
San Francisco, California 94111

/s/ Erlinda Abibas Aniel

Erlinda Abibas Aniel, Claimant in Pro Per